

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:13-CR-00053-RLV-3**

UNITED STATES OF AMERICA,)
)
 v.)
)
DANIEL LEE FOSTER,)
)
 Defendant.)

)

ORDER

THIS MATTER IS BEFORE THE COURT on the Court's own motion following Defendant's Response (Doc. 462) to this Court's Order (Doc. 461) requiring Defendant to indicate, by June 7, 2017, whether he wanted this Court to construe his Pro Se Motion to Vacate Enhanced Sentence ("Motion") (Doc. 447) as a motion to vacate or set aside his sentence under 28 U.S.C. § 2255. In his response, Defendant stated that he did not recall the substance of his Motion and requested a copy of that document. (Doc. 462). On May 30, 2017, the Clerk mailed Defendant a copy of his Motion. To permit Defendant adequate time to review his Motion, the Court extends the deadline for Defendant to indicate whether he wants the Court to construe his Motion as a motion under 28 U.S.C. § 2255. Defendant shall now have until June 19, 2017 to file his response.

SO ORDERD.

Signed: June 2, 2017



Richard L. Voorhees
United States District Judge

